

ORDINANCE No. 186448

*Increase contract with Walker Macy, LLC for design services for the South Waterfront Greenway Central District Phase 2 Improvements project. (Ordinance; amend Contract No. 37631)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland and the Portland Development Commission (PDC), under their respective charter authorities, are authorized to enter into cooperative agreements for the improvement of communities and environments.
2. In 2004, the City of Portland, through the PDC, entered into a Development Agreement with Oregon Health & Sciences University, River Campus Investors, LLC and North Macadam Investors, LLC for redevelopment of the South Waterfront Central District, SW Gibbs Street to SW Lane Street.
3. The City Council passed Resolution No. 36273 in December 2004 to accept the South Waterfront Greenway Development Plan Phase 1, Design Component, as the City's unified vision for the greenway in the South Waterfront District.
4. Walker Macy was awarded PTE Contract No. 37631 (Ordinance 181289) in September 2007 to provide PTE design services for planning, design and construction administration for implementation of the Greenway under management of Portland Parks & Recreation. The original contract amount was \$855,186.
5. Amendment No. 1 was executed administratively in April 2008 for \$13,543 to compensate Walker Macy for additional scientific testing related to hydraulic engineering of the riverbank.
6. Amendment No. 2 was executed administratively in July 2008 to extend the contract time to December 2010.
7. Amendment No. 3 was executed administratively in September 2008 for \$42,279 to compensate Walker Macy for additional work to assess soil conditions and negotiate on the City's behalf with Federal authorities regarding permitting of the riverbank design.
8. In July 2009, Federal authorities stated definitively they would not permit the riverbank configuration called for in the City's Greenway Development Plan, requiring a redesign.
9. Amendment No. 4 was executed administratively in August 2010 for \$128,852 to compensate Walker Macy for further negotiations regarding the federal permit, further study of soil conditions, redesign of the riverbank, value engineering studies and associated costs. The contract was extended to December 31, 2012.
10. The City of Portland hired a Construction Manager General Contractor (CM/GC) during completion of contract documents and construction.
11. Amendment No. 5 was executed by Ordinance 184388 on January 27, 2011, for \$219,760 to compensate Walker Macy for assistance with selection of and coordination with the CM/GC and production of construction documents.
12. In March 2012, the City split the Greenway Central District Improvements project into two phases due to a lack of funding.
13. Amendment No. 6 was executed by Ordinance 185371 for \$45,206 on May 30, 2012 to compensate Walker Macy for additional services to separate the construction document

- package into phases, revise the Land Use submittal, and update the design for late changes requested by the City. The contract was also extended to December 31, 2013.
14. The City intends to move ahead with construction of the Greenway Central District Phase 2 Improvements, and requires design services from Walker Macy to update the construction documentation package to show the interim conditions after completion of Phase 1; coordinate the design with a new development adjacent to the site; and provide thirty-three weeks of design administration services during the Phase 2 construction.
 15. An increase to the contract amount of \$104,647.00 is required. The total not to exceed contract amount shall be \$1,409,473 which is 64.81% above the original contract amount.
 16. An extension of the expiration date of the contract to March 31, 2015 is also required to ensure that landscape architectural services are available during the construction and to cover construction close out tasks.
 17. Funds for this contract increase will come from the project's budgeted funds.

NOW, THEREFORE, The Council Directs:

- a. The Chief Procurement Officer is authorized to execute Amendment No. 7 to Contract No. 37631 up to a not to exceed total contract value of \$1,409,473. Such amendment shall be in a form substantially similar to the agreement attached hereto, approved as to form by the City Attorney's Office.
- b. The Commissioner and Auditor are authorized to provide payment chargeable to the applicable budgets under project code P00193 when demand is presented and approved by the appropriate authorities.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the provision of design services to the South Waterfront Greenway Central District Phase Two Improvements; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council:
Commissioner Fritz
Prepared by:
A. Rouse 01/23/14

FEB 05 2014

LaVonne Griffin-Valade
Auditor of the City of Portland

By 
Deputy

Agenda No. **186448**
ORDINANCE NO.
 Title

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<p>INTRODUCED BY Commissioner/Auditor: Fritz</p>	<p>CLERK USE: DATE FILED <u>JAN 31 2014</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>Finance Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: PP&R Bureau Head: Mike Abbate <i>Mike Abbate</i></p> <p>Prepared by: Allison Rouse Date Prepared: 01.23.14</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date February 5, 2014</p>	<p>ACTION TAKEN:</p>
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	←	